

REMARKS/ARGUMENTS

Claims 1 through 13 have been amended to more accurately define the invention claimed.

Greenspan (US Patent No. 4,014,746) discloses a relatively complex structure for a swab packaged in a tube having an open end and containing a culture-sustaining liquid at the bottom of the tube. A plug including a one-way isolating valve located above the liquid and a barrier member forming an air-tight chamber between the plug and the barrier member. After removal of the swab from the tube and swabbing of a body canal with the absorbent tip of the swab, the swab may be placed back in the tube with the absorbent tip adjacent to the plug and within the substantially air-tight chamber. The plug is then forced downwardly through the liquid by pressing on the end of the swab so as to force the liquid up through the valve into contact with the absorbent tip. The tube does not protect the swab from axial compression. On the contrary, the tube must allow the swab to be pressed axially for the swab to force through the plug into the liquid in the tube.

Doherty (US Patent No. 2,902,146) discloses a sterile package comprising an elongated compressible sac enclosing an article such as a swab. The sac with the swab is placed inside an elongated casing. Prior to application of the swab, the sac with the swab is removed from the outer elongated casing. The sac is then compressed lengthwise to expose the swab tip for application. The compressible sac has a length that is variable due to its compressibility lengthwise. Furthermore, the compressible sac does not protect the swab from axial compression. On the contrary, the compressible sac must give way under axial compression to retract itself away from the swab tip to expose the swab tip for application.

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Amendment dated: January 17, 2005
Reply to Office Action of: October 18, 2004

Salfisberg (US Patent No. 2,329,360) discloses a extremely simple package openable by tearing. The package comprises of two sheets of packaging material arranged in superposed relation to each other and forming between them a commodity-containing compartment. A slit is formed extending through both layers inwardly from the edges of the layers and terminating short of the commodity-containing compartment.

Applicant's invention is a packaging to protect an elongated member from being compressed axially and from being contaminated. The packaging comprises of an elongated hollow tube housing with a fixed length that resists axial compression and does not contain any liquid. An elongated member is disposed within the elongated hollow tube housing. A protective covering encloses the elongated hollow tube housing with the elongated member.

Applicant hereby submits that the claim rejections under 35 U.S.C. §112, §102(b), and §103 have all been overcome. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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